

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

FIDELITY and GUARANTY  
INSURANCE COMPANY,

Plaintiff

v.

Civil Action No. 04-10250 EFH

STAR EQUIPMENT CORPORATION,  
CHARLENE B. FORAN, JOHN J. FORAN  
and TOWN OF SEEKONK,

Defendants

**OPPOSITION OF THE DEFENDANTS STAR EQUIPMENT,  
CHARLENE B. FORAN and JOHN J. FORAN  
TO FIDELITY and GUARANTY INSURANCE COMPANY'S  
MOTION FOR LEAVE TO FILE MOTION FOR SUMMARY JUDGMENT**

The defendants Star Equipment ("Star"), Charlene B. Foran and John J. Foran (collectively, "the Forans"), hereby oppose the motion of Fidelity and Guaranty Insurance Company ("F&G") for leave to file a motion for summary judgment on the eve of trial.

In support of this opposition, Star and the Forans submit the Affidavit of John J. Foran, and a Memorandum of Law in Opposition to Motion for Summary Judgment.

For the reasons set forth in the documents filed, these defendants respectfully request that this motion be denied.

Respectfully submitted,  
By their attorney,

/s/  
James S. Timmins BBO # 547512  
55 Willard Street  
Quincy MA 02169  
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DATE: February 27, 2007